

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

KML Law Group, P.C.

216 Haddon Avenue

Suite 406

Westmont, NJ 08108

Main Phone: 609-250-0700

dcarlon@kmlawgroup.com

Attorneys for Secured Creditor

M&T Bank



Order Filed on August 12, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

James E. Lamontagne, Kimberly M. Lamontagne

Debtor.

Case No.: 17-22921 MBK

Adv. No.:

Hearing Date: 7/23/19 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED  
CREDITOR'S MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: August 12, 2019**

A handwritten signature of Michael B. Kaplan in black ink, written over a horizontal line.  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

(Page 2)

Debtor: James E. Lamontagne, Kimberly M. Lamontagne

Case No: 17-22921 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF

---

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 33 Norwood Lane, Willingboro, NJ, 08046, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Fred R. Braverman, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of July 24, 2019 Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2019 through July 2019 for a total post-petition default of \$6,432.82 (4 @ \$1,643.85, \$142.58 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtors will make two payments totaling \$3,287.70 immediately; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,145.12 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor shall file a modified plan within twenty days of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume August 1, 2019, directly to Secured Creditor, M&T Bank, P.O. Box 1288, Buffalo, NY, 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

**(Page 3)**

Debtor: James E. Lamontagne, Kimberly M. Lamontagne

Case No: 17-22921 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING SECURED  
CREDITOR'S MOTION FOR RELIEF

---

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
James E. Lamontagne  
Kimberly M. Lamontagne  
Debtors

Case No. 17-22921-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Aug 12, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 14, 2019.

db/jdb +James E. Lamontagne, Kimberly M. Lamontagne, 33 Norwood Lane, Willingboro, NJ 08046-1331

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 14, 2019

Signature: /s/Joseph Speetjens

---

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 12, 2019 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Albert Russo docs@russotrustee.com  
Brian C. Nicholas on behalf of Creditor M&T BANK bnicholas@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Fred R. Braverman on behalf of Debtor James E. Lamontagne bravelaw@comcast.net  
Fred R. Braverman on behalf of Joint Debtor Kimberly M. Lamontagne bravelaw@comcast.net  
Rebecca Ann Solarz on behalf of Creditor M&T BANK rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8